

House Bill 1391

By: Representatives Willard of the 49th, Lindsey of the 54th, Tumlin of the 38th, Maddox of the 127th, Jacobs of the 80th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to magistrate courts, so as to provide that magistrates shall have jurisdiction to assist superior court judges and state court judges by presiding over the trial of misdemeanor violations in state courts; to provide that a superior court judge or a state court judge shall preside over such trials if a demand for a jury trial is made; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to magistrate courts, is amended by adding a new Code section to read as follows:

"15-10-2.2.

(a) Subject to the provisions of subsection (b) of this Code section, in addition to any other jurisdiction vested in the magistrate courts, magistrates shall have the right and power to assist superior court judges and state court judges by presiding over arraignments and pretrial matters, conducting nonjury trials, receiving pleas of guilty, and imposing sentence upon defendants for any violation that is punishable for its violation as a misdemeanor or a misdemeanor of a high and aggravated nature.

(b) If a defendant has demanded a trial by jury, a magistrate shall have jurisdiction over the misdemeanor case up to the time of trial, at which time a superior court judge or a state court judge, as appropriate, shall preside."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.